

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Vargas, Jaime S.; et. al.  
Assignee: Cardica, Inc.  
Title: Tool for Creating an Opening in Tissue  
Serial No.: 10/659,057  
Examiner: Michael G. Mendoza Filed: September 9, 2003  
Docket No.: 143 Group Art Unit: 3734

**ELECTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

This communication is in response to the Office Action of January 5, 2007 ("Office Action").  
Invention II, defined as claims 34-42, is elected without traverse.

Please contact the undersigned if there are any questions.

Respectfully submitted,  
/Brian A. Schar, Esq./

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